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December 20, 2010

OUR FILE NUMBER
496,593-8

VIA FIRST CLASS MAIL AND E-MAIL

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Re: Hasbro, Inc. v. Infogrames Entertainment S.A. a/k/a Atari, S.A.
(C.A. No. 09 Civ. 610 (S))

Dear Herb:

We write in response to your November 30, 2010 letter concerning Atari's proposed re-statement of certain of the numbered requests in Hasbro's September 15, 2010 First Requests for the Production of Documents (the "Requests"), to which Atari objected and responded that it would not produce any documents.

Although it finds Atari's objections without merit and reserves all rights concerning those objections, Hasbro agrees to and accepts Atari's proposed re-statement of the following Requests (as re-stated below):

| <u>Request No.</u> | <u>Re-stated Request</u> |
|--------------------|---|
| 7 | All COMMUNICATIONS between NAMCO and DISTRIBUTION PARTNER, RELATING TO D&D. ¹ |
| 34 | All drafts of the DISTRIBUTION AGREEMENT that were furnished to any PERSON other than (i) any member of the ATARI group of companies (as comprised on or before February 18, 2009); (ii) any attorney for any member thereof; or (iii) any agent of any of such member. |

¹ Capitalized terms are defined as set forth in Hasbro's September 15, 2010 Requests.

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| <u>Request No.</u> | <u>Re-stated Request</u> |
|--------------------|---|
| 41 | All DOCUMENTS concerning the renaming of DISTRIBUTION PARTNERS as 'Namco Bandai Distribution Partners S.A.S.' or "Namco Bandai Partners S.A.S." ² |
| 43 | All DOCUMENTS RELATING TO the handling of any CONFIDENTIAL INFORMATION of HASBRO (as that term is defined in the LICENSE AGREEMENT) after February 18, 2009 ³ by any "DP Subsidiary" (as defined in the DISTRIBUTION AGREEMENT) that possessed the CONFIDENTIAL INFORMATION of HASBRO (as so defined) on February 18, 2009, the date of the DISTRIBUTION AGREEMENT. |
| 72 | All DOCUMENTS and COMMUNICATIONS concerning industry studies and primary and secondary-market research concerning (a) the D&D intellectual properties licensed to ATARI, including the value of the D&D brand, customer attitudes towards the D&D brand, and brand management with respect to the D&D brand; and (b) competitors of HASBRO in the digital gaming industry with respect to the D&D intellectual properties, including the value and quality of competitors' brands, competitors' products and their market share, projections and/or forecasts of future market share in the digital gaming industry for the parties to this litigation and other competitors. |
| 82 | All summary-level DOCUMENTS or executive briefing DOCUMENTS that both (i) explain ATARI's purposes, intentions strategies, plans, or expectations in acquiring CRYPTIC in December 2008; and (ii) refer to D&D or the D&D Games. |

As represented in your November 30, 2010 letter, Hasbro expects Atari to produce all non-privileged documents responsive to the above re-stated Requests that are in Atari's possession, custody or control and that Atari is able to locate after a reasonable and diligent search of relevant files.

² Hasbro understands that Distribution Partners was renamed to "Namco Bandai Partners S.A.S.," not "Namco Bandai Distribution Partners S.A.S." To avoid confusion, Hasbro has modified this Request to encompass both entities.

³ Hasbro has modified Atari's proposed re-statement of this particular Request from "July 2009" to "February 18, 2009" to make it internally consistent and because all documents, commencing with the execution of the Distribution Agreement, should be captured here.

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With respect to the remaining Requests addressed in your November 30, 2010 letter, suffice it to say that Hasbro disagrees with Atari's positions and arguments concerning, and proposed re-statements of, these Requests. Because the parties are at an impasse, Hasbro intends to move to compel on various of these Requests, as well as on other issues and Requests which were raised in our November 8, 2010 letter but to which you did not respond in your November 30, 2010 letter.

Finally, as we have previously advised, Hasbro intends to file a motion concerning the various document search and production questions raised in our November 8, 2010 letter but which you have refused to answer. Hasbro also intends to file a motion with the Court concerning the need to amend the protective order to provide for an "attorneys' eyes only" layer of confidentiality, given your refusal to stipulate to such an amendment of the protective order.

Nothing herein is intended to be nor shall be construed as a waiver of any of Hasbro's legal or equitable rights or remedies concerning the foregoing, all of which are hereby expressly and impliedly reserved.

Very truly yours,



James Bo Pearl
of O'MELVENY & MYERS LLP

cc: Brooks R. McGratten, Esq.